IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
APPEAL NO.929 OF 2006
IN
NOTICE OF MOTION NO.2606 OF 2006
IN
SUIT NO.2121 OF 2006

Tarachand S. Narang & Anr. .... Appellants
Vs.
Narang Latex and Dispersions
Private Limited & Ors. .... Respondents

Sarvasri Janak Dwarkadas, Senior Advocate, with Kevic Setalvad, Nimish Kothare, P.P. Paul and Mrs. Deepti Nagpal, Advocates i/b M/s. Nanu Hormasjee & Co. for the Appellants.

Sarvasri V.R. Dhond with Syrus Ardeshir, Advocates i/b M/s. Madekar & Co. for the Respondent Nos.1, 3, 5 and 6.

Shri Prakash Punjabi with Mrs. Manisha Chandwani, Advocates i/b M/s. Prakash Punjabi & Co. for the Respondent No.9.

CORAM: R.M.S. KHANDEPARKAR &
Dr. D.Y. CHANDRACHUD, JJ.

DATED: FEBRUARY 20, 2007

P.C:

Heard. Pursuant to what transpired during the course of the arguments, learned counsel appearing for the appellants makes a request for order to the effect that the observations made in the impugned order should not come in the way of the appellants in getting the matter disposed of in accordance with the provisions of law when it comes for final disposal of the Notice of

Motion, and the order in that regard being made, the appellants crave leave to withdraw the appeal. The appeal is accordingly allowed to be withdrawn and it is made clear that the learned single Judge may dispose of the Notice of Motion without being influenced in any manner by the observations made in the impugned order. In the peculiar facts and circumstances of the case, liberty to the appellants to move for expeditious disposal of the Notice of Motion. The appeal accordingly stands disposed of as withdrawn with the above observations.

(Dr.D.Y.Chandrachud, J.) (R.M.S.Khandeparkar, J.)

sjs/f7a929.6